

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA :

v. :

ELIJAH MYERS, :

Defendant. :

-----X

ORDER

24 CR 647-3 (VB)

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>7/31/25</u>

By letter dated July 29, 2025, defendant Myers requests that the conditions of his pretrial release be modified to eliminate the 10:00 p.m. to 7:00 a.m. curfew. That application is DENIED without prejudice to renewal if and when there is a substantial change in the relevant circumstances that existed at the time of the initial bail hearing.

For the reasons set forth in the government's letter of July 30, 2025, the curfew is a reasonable measure that helps to ensure the safety of the community notwithstanding the extremely serious charges in this case. And while defendant is to be commended for being in compliance with his conditions of release and for having a stable residence, these things are expected of someone on pretrial release and do not constitute changed circumstances warranting a modification of conditions.

Moreover, the curfew does not place an undue burden on defendant—indeed, he is permitted to be outside his home 15 hours per day, which would ordinarily be sufficient for someone to find suitable employment. If defendant actually had a job that required him to work outside the home between the hours of 10:00 p.m. and 7:00 a.m., that might constitute a changed circumstance, but that is not the case, at least not yet.

Defendant may re-submit an application to remove or adjust the hours of the curfew if and when there is a substantial change in the circumstances warranting such a modification.

Dated: July 31, 2025

White Plains, NY

SO ORDERED:



Vincent L. Briccetti

United States District Judge